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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN PEARL SMITH, II,

Defendant.

No. CR16-0086-SLG-DMS

**MOTION TO VACATE DUE DATES UNDER THE FIFTH AMENDED
SCHEDULE ORDER (DKT 1105) TO BE ADDRESSED AT THE STATUS
HEARING SCHEDULED FOR NOVEMBER 18, 2021**

1 A modification to the Fifth Amended Schedule Order¹, sets October 4, 2021, for
2 the parties to file any objections to proposed jury instructions, proposed verdict form,
3 and proposed voir dire; and October 4, 2021 for the parties to exchange in digital and
4 hard-copy form and provide Court with exhibits. The dates anticipated a trial to begin
5 on October 18, 2021.
6

7 The trial was vacated on September 30, 2021. A telephonic status hearing has
8 been set for November 18, 2021 at 11:30 a.m. to determine when a new trial date may
9 be set. The parties jointly request the Court to vacate the current due dates discussed
10 above to be re-addressed at the November 18, 2021 status hearing.²
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23 ¹ Docket 1105.
24

25 ² At the September 30, 2021, status hearing, the Court vacated the October 6, 2021 “In-person Pretrial Conference” schedule under the Fifth Amended Scheduling Order.

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Certificate of Service:

I hereby certify that I electronically filed the foregoing, and any attachments, with the Clerk of court for the U.S. District Court for the District of Alaska by using the district's CM/ECF system on October 1, 2021. All participants in this case are registered CM/ECF users and will be served by the district's CM/ECF system.

/s/ Mark A. Larrañaga

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